

AGREEMENT WITH THE INDIANS OF THE GRANDE RONDE
RESERVATION IN OREGON.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

WITH A COPY OF A COMMUNICATION FROM THE COMMISSIONER
OF INDIAN AFFAIRS, COPY OF AN AGREEMENT WITH THE
INDIANS OF THE GRANDE RONDE RESERVATION IN OREGON.

JANUARY 6, 1902.—Referred to the Committee on Indian Affairs and ordered to be
printed.

DEPARTMENT OF THE INTERIOR,
Washington, December 21, 1901.

SIR: I have the honor to transmit herewith a copy of a communication of the 13th instant from the Commissioner of Indian Affairs, and accompanying agreement, entered into by United States Indian Inspector James McLaughlin with the Indians of the Grande Ronde Reservation in Oregon, for cession of the surplus lands of their reservation, the land thus ceded being estimated at 25,791 acres, together with a draft of a bill to ratify the same.

The matter has been considered by the Department and is respectfully presented for favorable action by the Congress.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 13, 1901.

SIR: I have the honor to acknowledge the receipt, by Department reference, for consideration and report, of the report of Inspector James McLaughlin, submitting an agreement with the Indians of the Grande Ronde Reservation, in Oregon, for the cession of the surplus lands of the said reservation.

The negotiations were conducted by Inspector McLaughlin under instructions prepared by this office June 19, 1901, and approved by the Department June 21, 1901.

By the first article of the agreement the Indians belonging thereon cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Grande Ronde Reservation remaining unallotted at the date of the agreement excepting the 440 acres reserved for Government uses at the time their allotments were made, the land thus ceded being estimated at 25,791 acres.

By the second article the United States stipulates and agrees to pay to the said Indians the sum of \$28,500 in cash, pro rata, as follows: To adults of 18 years of age or more, within one hundred and twenty days from the date of the ratification of the agreement, and to each minor as they arrive at the age of 18 years, the pro rata shares thus retained to be deposited in a lump sum in the Treasury of the United States to the credit of said Indians and draw interest at the rate of 5 per cent, which interest shall be paid to the parents or guardians of said minors annually per capita in cash.

By the third article it is agreed that the 440 acres reserved for Government purposes shall, when no longer required by the United States for educational or other purposes in the interests of said Indians, be allotted to minor beneficiaries who have not received allotments, or be sold for the benefit of the Indians, in the discretion of the Secretary of the Interior.

The fourth article continues the provisions of existing treaties not inconsistent with the agreement.

The fifth article provides that the agreement shall take effect when properly signed, approved by the Secretary of the Interior, and ratified by the Congress.

The agreement is signed by Inspector McLaughlin and 60 male adult Indians properly witnessed, and accompanied by the certificate of the superintendent in charge that the total number of male adults over 18 years of age belonging to the reservation is 107, of whom 60 signed the agreement.

The title of these Indians to the lands in question is derived as follows:

By the treaty of November 29, 1854 (10 Stats., 1125), certain chiefs of the confederated bands of the Umpqua tribe of Indians and of the Calapooias residing in Umpqua Valley ceded to the United States certain described lands, provided that a certain described tract therein should be held by said confederated bands, and such others as might be designated to reside thereon, as an Indian reservation.

By the treaty of January 22, 1855 (10 Stats., 1143), the confederated bands of Indians residing in the Willamette Valley, including the Calapooias, ceded certain lands, one of the considerations being that said Indians should be permitted to remain within the limits of the ceded country and on such temporary reserves as might be made for them by the Superintendent of Indian Affairs until a suitable district of country should be designated for their permanent home and proper improvements made thereon.

By the treaty of December 21, 1855 (12 Stats., 981), the Molallas ceded certain lands, one of the stipulations on the part of the United States in consideration of the cession being to secure to the members

of said tribe all the rights and privileges guaranteed by treaty to the Umpqua and Calapooias jointly with said tribes.

By an Executive order issued June 30, 1857, Tps. 5 and 6 of R. 8, and parts of Tps. 5 and 6 S. of R. 7 W., Willamette meridian, were established as an Indian reservation for the colonization of Indian tribes in Oregon, and particularly for the Willamette tribes, parties to the treaty of January, 1855.

Allotments have been made to 270 Indians on said reservation under the act of February 8, 1887 (24 Stats., 388).

The census rolls now show 396 persons belonging to the reservation. Married women were not entitled to allotments under said act of 1887.

In his report accompanying the agreement Inspector McLaughlin states that the unallotted lands are situated chiefly along the southern, western, and northern boundaries of the reservation, and, like all the coast lands of western Oregon, are hilly and even mountainous, but the soil is rich and fertile; that the southern and southwestern portion of the reservation, about 13,000 acres, included in the agreement, is well timbered with a good growth of live timber, chiefly fir, but of not very good quality; and that throughout the northern and northwestern portion there is very little live timber, except of a second growth, but there is luxuriant grass throughout that portion, which affords good grazing, horses, cattle, sheep, and goats thriving wonderfully upon it.

He reports that the Indians at first wanted \$2 per acre; that after some consultation they reduced the price to \$1.25 per acre, and that he then made them an offer of \$28,500, being a fraction over \$1.10 per acre, for all the surplus land.

This is undoubtedly a moderate price for the land.

I think it to be regretted that provision was made in the agreement for the annual payment of interest on the withheld shares instead of paying the principal and accrued interest on arrival at the age of 18 years; but this is not of sufficient consequence to be seriously considered.

I have the honor to recommend that the agreement receive your approval and that it be transmitted to the Congress with the bill prepared in this office for its ratification, with request for favorable consideration.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner*.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Tacoma, Wash., June 28, 1901.

SIR: Under instructions prepared in the office of Indian Affairs, dated the 19th instant, bearing Department approval the 21st, I have the honor to transmit herewith an agreement, dated the 27th instant, entered into by me, on the part of the United States, with the Indians of the Grande Ronde Reservation, Oreg., for the cession of their unallotted lands, the tract thus ceded approximating 25,791 acres.

The tract ceded by the inclosed agreement comprises all of the unallotted lands of the Grande Ronde Reservation, except 440 acres which was reserved for Government uses at the time allotments were made to said Indians, the said reserve embracing the school farm of 200 acres and a timber reserve of 240 acres.

The timber reserve, upon which the Government sawmill and grist-mill are located, is about 3 miles southwest of the school tract and contains an excellent mill site, which furnishes ample water power for running the said mills, both of which are in very good condition and successfully operated by Indian labor at a very little expense to the Government, and as those mills are of great benefit to the Indians in sawing lumber for building purposes and grinding the wheat raised, they should, in my opinion, be maintained for some time to come.

I spent three days in looking over the unallotted lands referred to, which are situated chiefly along the southern, western, and northern boundaries of the reservation, and, like all the coast lands of western Oregon, are hilly and even mountainous, but the soil is rich and fertile.

The southern and southwestern portion of the reservation, about 13,000 acres, included in the agreement, is well timbered with a good growth of live timber, chiefly fir; but I do not regard it of very good quality, only a small proportion of it being free from limbs for any considerable height, and consequently the lumber it produces is rather knotty. It, however, makes very good lumber for home consumption and local trade, but would not be desirable for shipping any great distance or find ready sale at profitable prices in an Eastern market.

Throughout the northern and northwestern portion there is very little live timber except of a second growth, as heavy fires some years ago destroyed a large tract of heavily timbered forest; but there is luxuriant grass throughout that portion, which affords good grazing, horses, cattle, sheep, and goats thriving wonderfully upon it, and if the numerous large trees that have fallen throughout the tract were removed and the dense thickets were cleared away that portion of the Grande Ronde Reservation, with its abundant supply of excellent water, would make one of the finest stock ranges in Oregon.

After examining the lands in question, I assembled the Indians in council to negotiate with them for the cession, and they at first asked \$2 per acre for the tract, holding out for some time for that price for the portion containing the live timber; but I, regarding the burned district, with its range advantages, of equal value to the live timber portion, would not concede any extra price per acre for the southern tract.

After some consultation among themselves they reduced their price to \$1.25 per acre, whereupon I made them a lump-sum offer of \$28,500 for the entire tract, being a fraction over \$1.10 per acre, which offer, after consulting further among themselves, was accepted and the agreement thus concluded.

The census rolls of Grande Ronde Agency show 396 persons belonging on the reservation, 107 of whom are male adults over 18 years of age, and 60 of them signed the agreement, being a decisive majority of the Indians interested. Every Indian belonging on the reservation who was not absent therefrom signed the agreement, except two old men who were too ill to come to the agency, and the 45 who were absent, working for white men in different localities, would doubtless have signed had they been at home, as the concurrence of those present

was unanimous and their satisfaction over its consummation was quite manifest.

The approximate number of acres ceded, as inserted in the agreement, is based upon the 59,699 acres which the reservation contained, of which 33,148 acres has been allotted to 269 Indians, leaving 26,551 acres held in common, of which 440 acres is reserved for Government purposes, and deducting the 440 acres thus reserved leaves 26,111 acres remaining unallotted.

School Superintendent Andrew Kershaw has recently made one new allotment and four reallotments under Department instructions, viz: Mary Barker, 160 acres; John Smith, 120 acres; Jane Isaac, 110 acres; Allie Metcalf, 40 acres; and Edward Metcalf, 40 acres; total, 470 acres, from which should be deducted 150 acres relinquished by the persons to whom reallotments were made. (This relinquishment was made necessary to correct error of location made on claim of George E. Zimmerman, in sec. 24, T. 6 S., range 8 west, of Willamette meridian, referred to in Indian Office letter "Land," dated July 28, 1892, to the agent at Grande Ronde Agency, Oreg.) And the 320 acres of land herein referred to as recently allotted by Superintendent Kershaw deducted from the 26,111 acres leaves 25,791 acres remaining unallotted on June 27, 1901, the date of the inclosed agreement.

Regarding the manner of payment for the land ceded, as stipulated in the agreement, I desire to state that the Grande Ronde Indians are well advanced in civilization. They all speak English quite well, and are capable of managing and taking care of their respective shares, and the shares being only about \$72 per capita, will be of greater benefit to them if paid in one payment than if paid in two or more installments, and all will then understand that they have nothing further coming to them from the Government and will govern themselves accordingly.

I regard the price allowed for the land as just and reasonable, and the manner of payment as best for the Indians and in the interests of the service, and respectfully recommend the approval and ratification of the agreement.

Very respectfully, your obedient servant,

JAMES McLAUGHLIN,
United States Indian Inspector.

THE SECRETARY OF THE INTERIOR,
Washington, D. C.

This agreement, made and entered into on the 27th day of June, 1901, by and between James McLaughlin, U.S. Indian inspector, on the part of the United States, and the Willamette tribes and other Indians belonging on the Grande Ronde Reservation, in the State of Oregon, witnesseth:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oregon, for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Grande Ronde Reservation remaining unallotted on the date of this agreement, excepting the four hundred and forty acres of land reserved for Government uses at the time their allotments in severalty were made, the land hereby ceded and relinquished approximating twenty-five thousand seven hundred and ninety-one (25,791) acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States stipulates and agrees to pay to the

said Indians the sum of twenty-eight thousand five hundred (28,500) dollars in cash pro rata, share and share alike, to each man, woman, and child belonging on the said Grande Ronde Reservation, as follows, to wit: To adults of eighteen years of age or more, within one hundred and twenty days from and after the date of the ratification of this agreement, and to each minor as they arrive at the age of eighteen years, and that the pro rata shares thus retained until the beneficiaries attain the age aforesaid shall be deposited in lump sum in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of five per centum per annum, which interest shall be paid to the parents or guardians of said minors annually per capita in cash until said minors arrive at the age of eighteen years, and as each of such beneficiaries arrive at the age of eighteen years they shall be paid their share in full.

ART. III. It is understood and agreed that the four hundred and forty acres of land reserved for Government purposes, referred to in Article I of this agreement, shall, when no longer required by the United States for educational or other purposes in the interest of said Indians, be allotted to minor beneficiaries who have not received any allotments of land, or be sold for the benefit of the Indians, parties hereto, in the discretion of the Secretary of the Interior.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits to which they may be entitled under existing treaties, not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when signed by James McLaughlin, U. S. Indian inspector, and by a majority of the male adult Indians, parties thereto, and when approved by the Secretary of the Interior and accepted and ratified by the Congress of the United States.

In witness whereof the said James McLaughlin, U. S. Indian inspector, on the part of the United States, and the male adults of the Willamette tribes and other Indians belonging on the Grande Ronde Reservation, Oregon, have hereunto set their hands and seals at Grande Ronde Agency, Oregon, this twenty-seventh day of June, A. D. nineteen hundred and one.

JAMES McLAUGHLIN,
U. S. Indian Inspector.

No.	Name.	Mark.	Age.	No.	Name.	Mark.	Age.
1	John Warren.....	-----	38	31	Tom Lawney	x	37
2	John Wachena.....	-----	47	32	Davis Davis.....	x	60
3	Peter McCoy.....	x	89	33	Narcisse Lachance.....	-----	28
4	James Silqua.....	x	74	34	Levi Taylor.....	-----	32
5	John Smith.....	x	64	35	Joe Leno.....	-----	21
6	Alsea Bill.....	x	75	36	John Doud, jr.....	-----	21
7	Solomon Riggs.....	x	74	37	A. Barham Mitchell.....	-----	33
8	Moses Allen.....	x	80	38	Jesse Smith.....	-----	28
9	Robert Metcalf.....	x	58	39	Francis Menard.....	-----	20
10	William Barlow.....	x	94	40	Alexander Norwest.....	-----	24
11	Dick Cook.....	x	74	41	Patrick Doud.....	-----	19
12	Wallen Kilmone.....	x	64	42	Frank Quenel.....	-----	63
13	Yamhill Joe.....	x	79	43	Peter Menard.....	-----	18
14	Peter Petit.....	-----	56	44	Norris Apperson.....	-----	20
15	David Leno.....	x	64	45	Eddie Riggs.....	-----	29
16	Joseph David.....	-----	29	46	Frank Isaac.....	-----	33
17	James Winslow.....	x	67	47	Joseph Mitchell.....	-----	33
18	James Foster.....	x	54	48	Andrew Smith.....	-----	50
19	Applegate Jack.....	x	69	49	Andrew Riggs.....	-----	21
20	Peter Sulkey.....	x	69	50	Frank Whales.....	-----	31
21	Samuel Chantelle.....	x	59	51	Moses Sitton.....	-----	20
22	Dick Hall.....	x	77	52	Jesse Wheeler.....	-----	27
23	William Shufon.....	x	62	53	Reuben Long.....	x	52
24	Daniel Wacheno.....	x	42	54	William Hartless.....	x	44
25	Isaac Stephens.....	x	59	55	Thomas Gilbert.....	x	55
26	John Pratt.....	x	54	56	Willie Riggs.....	-----	19
27	James Smith.....	x	37	57	James Hines.....	x	79
28	Foster Wacheno.....	x	52	58	Felix Watchew.....	-----	24
29	Jake Wheeler.....	x	64	59	Amos Kilear.....	x	96
30	Peter Menard.....	x	58	60	Edward Petite.....	-----	25

I, the undersigned, do hereby certify that the foregoing agreement between the United States and the Indians of the Grande Ronde Reservation, Oreg., dated June 27, 1901, was thoroughly explained by me to said Indians and that it was fully understood by them before signing.

JOHN WARREN, *Interpreter.*

GRANDE RONDE AGENCY, OREG., June 27, 1901.

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and of the 60 male adult Indians of the Grand Ronde Reservation, Oreg., to the foregoing agreement.

MAURICE E. PEAIRS,
Industrial Teacher.
LUTHER PARKER,
Teacher.

GRANDE RONDE AGENCY, OREG., June 27, 1901.

I certify that the total number of male adult Indians over 18 years of age belonging on the Grande Ronde Reservation, Oreg., is 107, of whom 60 have signed the foregoing agreement.

ANDREW KERSHAW,
Superintendent and Special Disbursing Agent.

DEPARTMENT OF THE INTERIOR,
December 20, 1901.

Approved.

E. A. HITCHCOCK, *Secretary.*

A BILL to ratify and confirm an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect.

Whereas James McLaughlin, United States Indian inspector, acting in behalf of the United States, did, on the twenty-seventh day of June, nineteen hundred and one, conclude an agreement with the Indians residing on the Grande Ronde Reservation, in the State of Oregon, which said agreement is as follows:

This agreement made and entered into on the twenty-seventh day June, nineteen hundred and one, by and between James McLaughlin, U. S. Indian inspector, on the part of the United States, and the Willamette tribes and other Indians belonging on the Grande Ronde Reservation in the State of Oregon, witnesseth:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oregon, for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Grande Ronde Reservation remaining unallotted on the date of this agreement, excepting the four hundred and forty acres of land reserved for Government uses at the time their allotments in severalty were made, the land hereby ceded and relinquished approximating twenty-five thousand seven hundred and ninety-one (25,791) acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States stipulates and agrees to pay to the said Indians the sum of twenty-eight thousand five hundred (28,500) dollars in cash pro rata, share and share alike, to each man, woman and child belonging on the said Grande Ronde Reservation, as follows, to wit: To adults of eighteen years of age or more, within one hundred and twenty days from and after the date of the ratification of this agreement, and to each minor as they arrive at the age of eighteen years; and that the pro rata shares thus retained until the beneficiaries attain the age aforesaid shall be deposited in lump sum in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of five per centum per annum, which interest shall be paid to the parents or guardians of said minors annually per capita, in cash, until said minors arrive at the age of eighteen years, and as each of such beneficiaries arrive at the age of eighteen years they shall be paid their share in full.

ART. III. It is understood and agreed that the four hundred and forty acres of land reserved for Government purposes, referred to in Article I of this agreement, shall, when no longer required by the United States for educational or other purposes in the interests of said Indians, be allotted to minor beneficiaries who have not received any allotments of land, or be sold for the benefit of the Indians, parties hereto, in the discretion of the Secretary of the Interior.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits to which they may be entitled under existing treaties, not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when signed by James McLaughlin, United States Indian inspector, and by a majority of the male adult

AGREEMENT WITH CERTAIN INDIANS IN OREGON.

Indians, parties thereto, and when approved by the Secretary of the Interior and accepted and ratified by the Congress of the United States.

In witness whereof the said James McLaughlin, United States Indian inspector, on the part of the United States, and the male adults of the Willamette tribes and other Indians, belonging on the Grande Ronde Reservation, Oreg., have hereunto set their hands and seals at Grande Ronde Agency, Oreg., this 27th day of June, A. D. 1901.

JAMES McLAUGHLIN,
United States Indian Inspector.
(John Warren and 59 others.)

I, the undersigned, do hereby certify that the foregoing agreement between the United States and the Indians of the Grande Ronde Reservation, Oreg., dated June 27, 1901, was thoroughly explained by me to said Indians, and that it was fully understood by them before signing.

JOHN WARREN, *Interpreter.*

GRANDE RONDE AGENCY, OREG., *June 27, 1901.*

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and of the 60 male adult Indians of the Grande Ronde Reservation, Oreg., to the foregoing agreement.

MAURICE E. PEAIRS, *Industrial Teacher.*
LUTHER PARKER, *Teacher.*

GRANDE RONDE AGENCY, OREG., *June 27, 1901.*

I certify that the total number of male adult Indians over 18 years of age belonging on the Grande Ronde Reservation, Oreg., is 107, of whom 60 have signed the foregoing agreement.

ANDREW KERSHAW,
Superintendent and Special Disbursing Agent.

DEPARTMENT OF THE INTERIOR,
December 20, 1901.

Approved.

E. A. HITCHCOCK, *Secretary.*

Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said agreement be, and the same hereby is, accepted, ratified, and confirmed.

SEC. 2. That for the purpose of carrying the provisions of this act into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of twenty-eight thousand five hundred dollars, which sum of money shall be paid to the Indians in manner and form prescribed by article two of the agreement: *Provided,* That none of the lands ceded and relinquished by said agreement shall be open to settlement, sale, or disposal until proclamation by the President of the United States, after the public surveys shall have been extended over them, and when so open they shall be disposed of under the general land laws.